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INITIATIVE 711

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure 711 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to improving traffic; amending RCW 81.100.020;
2 adding a new section to chapter 43.09 RCW; adding a new section to
3 chapter 47.01 RCW; adding a new section to chapter 82.44 RCW; adding a
4 new section to chapter 82.08 RCW; adding a new section to chapter 82.12
5 RCW; adding a new section to chapter 36.70A RCW; adding a new section
6 to chapter 44.40 RCW; creating new sections; and repealing RCW
7 46.61.165.

8 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

9 **IMPROVING TRAFFIC BY REQUIRING PERFORMANCE AUDITS OF TRANSPORTATION**
10 **AGENCIES**

11 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.09 RCW
12 to read as follows:

13 The state auditor shall conduct a performance audit on each
14 transportation agency, account, and program, including, but not
15 necessarily limited to, the department of transportation, the state
16 ferry system, and all public transit agencies in the state.
17 Transportation funds shall be used for the cost of each audit. The
18 first audit report for each transportation agency, account, and program

shall be submitted to the legislature and made available to the public on or before December 31, 2001. Subsequent performance audits shall be conducted when determined necessary by the state auditor.

IMPROVING TRAFFIC BY MAKING ROAD CONSTRUCTION AND ROAD MAINTENANCE THE TOP PRIORITY OF THE STATE TRANSPORTATION SYSTEM

NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01 RCW to read as follows:

New road and lane construction and road maintenance shall be the state's top priority for transportation system improvements.

IMPROVING TRAFFIC BY REQUIRING 90% OF TRANSPORTATION FUNDS BE SPENT ON ROAD CONSTRUCTION AND ROAD MAINTENANCE

NEW SECTION. **Sec. 3.** A new section is added to chapter 82.44 RCW to read as follows:

(1) A minimum of 90% of all funds used for transportation purposes shall be spent on construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(a) For the purposes of this section, "transportation funds" are all government funds spent for transportation purposes, including, but not necessarily limited to, the transportation fund, the highway fund, public transit and ferry operating accounts and reserves, public transit and ferry capital accounts and reserves, local government transportation accounts, public transportation authorities, transportation benefit districts, and the high occupancy vehicle account established in RCW 81.100.070.

(b) For the purposes of this section, "transportation funds" do not include federal funds which the federal government requires to be spent on purposes other than construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(c) For the purposes of this section, "transportation funds" do not include transportation vehicle funds used for school districts or funds used by airports or port districts, or public ferry and public transit fares.

(d) For the purposes of this section, "roads" includes all publicly owned roads, streets, and highways.

IMPROVING TRAFFIC BY REPEALING THE AUTHORITY TO RESTRICT LANE USAGE

NEW SECTION. **Sec. 4.** RCW 46.61.165 (High-occupancy vehicle lanes) and 1999 c 206 s 1, 1998 c 245 s 90, 1991 sp.s. c 15 s 67, 1984 c 7 s 65, & 1974 ex.s. c 133 s 2 are each repealed.

IMPROVING TRAFFIC BY CONTINUING RESTRICTIONS ON TRUCK USAGE OF CITY STREETS

NEW SECTION. **Sec. 5.** Nothing in this act is intended to restrict the operation of RCW 46.44.080, 46.61.100, or 46.61.135.

IMPROVING TRAFFIC BY ALLOWING EQUAL ACCESS TO ALL PUBLICLY FUNDED LANES

NEW SECTION. **Sec. 6.** RCW 81.100.020 and 1990 c 43 s 13 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Transit agency" means a city that operates a transit system, a public transportation benefit area, a county transportation authority, or a metropolitan municipal corporation.

(2) The "high occupancy vehicle system" includes high occupancy vehicle lanes, related high occupancy vehicle facilities, and high occupancy vehicle programs.

(3) "High occupancy vehicle lanes" (~~((mean lanes reserved for public transportation vehicles only or public transportation vehicles and private vehicles carrying no fewer than a specified number of passengers under RCW 46.61.165,))~~) means all lanes where traffic volume has increased or is expected to increase. High occupancy vehicle lanes shall be accessible for use by all vehicles otherwise lawfully abiding by the rules of the road of this state.

(4) "Related facilities" means park and ride lots, park and pool lots, ramps, bypasses, turnouts, signal preemption, and other improvements designed to maximize use of the high occupancy vehicle system.

1 (5) "High occupancy vehicle program" means advertising the high
2 occupancy vehicle system, promoting carpool, vanpool, and transit use,
3 providing vanpool vehicles, and enforcement of driving restrictions
4 governing high occupancy vehicle lanes.

5 **IMPROVING TRAFFIC BY EXEMPTING ROAD CONSTRUCTION MATERIALS FROM SALES**
6 **AND USE TAXES**

7 NEW SECTION. **Sec. 7.** A new section is added to chapter 82.08 RCW
8 to read as follows:

9 The taxes levied by RCW 82.08.020 shall not apply to materials used
10 in the construction or maintenance of public roads, streets, and
11 highways.

12 NEW SECTION. **Sec. 8.** A new section is added to chapter 82.12 RCW
13 to read as follows:

14 The taxes levied by RCW 82.12.020 shall not apply to materials used
15 in the construction or maintenance of public roads, streets, and
16 highways.

17 **IMPROVING TRAFFIC BY UPDATING TRANSPORTATION PLANS**

18 NEW SECTION. **Sec. 9.** A new section is added to chapter 36.70A RCW
19 to read as follows:

20 The traffic element of comprehensive plans developed under RCW
21 36.70A.070(6)(a) and development regulations shall be updated to
22 reflect the provisions and priorities of this act.

23 NEW SECTION. **Sec. 10.** A new section is added to chapter 44.40 RCW
24 to read as follows:

25 Comprehensive plans developed under RCW 44.40.070 shall be updated
26 to incorporate the funding priorities established by this act.

27 **CONSTRUCTION CLAUSE**

28 NEW SECTION. **Sec. 11.** The provisions of this act are to be
29 liberally construed to effectuate the policies and purposes of this
30 act.

1 **SEVERABILITY CLAUSE**

2 NEW SECTION. **Sec. 12.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

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